Jeffrey Schreiber (JS 6182)
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2 Grand Central Tower
140 East 45th Street, 19th Floor
New York, New York 10017
(212) 655-3500
Attorneys for Defendant DLA Piper Rudnick Gray Cary LLP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---x

DAVID NORKIN

Plaintiff,

Civil Action No. 05 Civ. 9137(DC)

-against-

DLA PIPER RUDNICK GRAY CARY LLP,

Defendant.

NOTICE OF MOTION TO DISMISS OR, ALTERNATIVELY, FOR SUMMARY JUDGMENT

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PLEASE TAKE NOTICE, that upon the attached Declaration of Jeffrey Schreiber, in Support of Defendant's Motion to Dismiss or, Alternatively, for Summary Judgment, executed on November 7, 2005, the exhibits thereto, the Statement of Undisputed Facts and the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss or, Alternatively, for Summary Judgment, defendant DLA Piper Rudnick Gray Cary LLP shall move this Court at the Courthouse, 500 Pearl Street, Courtroom 11B, New York, New York 10007, on November 23, 2005, at 10:00 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 56, dismissing the complaint or granting summary judgment in favor of defendants.

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PLEASE TAKE FURTHER NOTICE, that answering papers, if any, must be served in such a manner so as to be received in hand by the undersigned on or before the close of business on November 23, 2005.

Dated: New York, New York
November 7, 2005.

MEISTER SEELIG & FEIN LLP

S/______________________________
By: Howard S. Koh (HK 4730)
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